DOCUMENT RESUME

ED 285 061 CG 020 103

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TITLE Address of the Honorable Arnold I. Burns, Deputy Attorney General of the United States.
INSTITUTION Department of Justice, Washington, D.C.
PUB DATE 10 Jun 87
NOTE 16p.; Address delivered at the National Conference on Missing and Exploited Children (2nd, Chicago, IL, June 10, 1987).
PUB TYPE Viewpoints (120) -- Speeches/Conference Papers (150)

EDRS PRICE MF01/PC01 Plus Postage.
DESCRIPTORS Child Abuse; *Child Advocacy; *Children; Court Role; *Crime; Crime Prevention; *Federal Legislation; *Federal Programs; Federal State Relationship; *Government Role; Law Enforcement
IDENTIFIERS *Missing Persons

ABSTRACT

Finding missing children is a national problem. The increasing mobility of American society often hampers law enforcement's ability to follow missing children cases. A federal response to coordinate and assist in the effort to locate and recover missing children was initiated in 1984 when the Department of Justice established the National Center for Missing and Exploited Children. The Center has become a valuable resource for law enforcement agencies, parents, missing children's organizations, and others working to reduce the incidence of crimes against children and to deal more effectively with crimes when they do occur. The Missing Children's Assistance Act of 1984 created a program to coordinate and disseminate information about missing and exploited children. The Department of Justice has undertaken studies to assess the number of children out of parental custody nationally, to estimate the number of children reported missing to law enforcement agencies, to examine psychological consequences for exploited children, and to formulate strategies for changing court practices with child victim witnesses. The Department of Justice also provides law enforcement training programs, a public awareness campaign, and assistance to state clearinghouses and voluntary missing children's organizations. Priorities for the Missing Children's Program include prevention, training, and guidance for returning children. Assistance for child victims, prosecution of criminals, and increased protection of children are still needed. (ABL)

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# Department of Justice

ADDRESS

OF

THE HONORABLE ARNOLD I. BURNS
DEPUTY ATTORNEY GENERAL OF THE UNITED STATES

BEFORE

THE SECOND NATIONAL CONFERENCE ON MISSING
AND EXPLOITED CHILDREN

WEDNESDAY, JUNE 10, 1987
CHICAGO HILTON AND TOWERS
CHICAGO, ILLINOIS
7:30 P.M., C.D.T.

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It is a pleasure to be with you this evening at the Second National Conference on Missing and Exploited Children. I'd like to congratulate you all for the excellent work you are doing to help locate missing children and to reunite these children with their families.

Let me assure you that this Administration has as a top priority on its national agenda the safety and protection of all Americans, particularly children.

President Reagan has said that "All Americans, and especially our youth, should have the right and opportunity to walk our streets, to play and grow without their lives being at risk."

Our children are our most precious resource. They are the bond that binds our past with our future. It is for them that we struggle to build a better world. They are the embodiment of our hopes and dreams. To have a child simply disappear strikes an incalculable and irreparable blow against the spirit and soul of any family so afflicted.

I understand that a number of parents of missing children, some whose children have been abducted and murdered, are attending this conference as guests of the co-sponsors. There are no words adequate to express this nation's sincerest gratitude for your strength and commitment. Your courage, in the face of the most difficult grief imaginable, is helping to awaken our nation to the tragedy of missing children.

There is a saying that, "One man awake can waken another. The second can awaken his next door brother. The three awake can

rouse the town by turning the whole place upside down. And many awake can make such a fuss they finally awaken the rest of us."

Over the last several years, our nation has been awakened -- mostly through the efforts of those of you here tonight -- to the tragic problem of missing and exploited children.

Finding missing children is a national problem. The ever-increasing mobility of our society hampers law enforcement's ability to follow missing children's cases that often move beyond their home jurisdictions.

Because it is a problem of national proportions, President Reagan recognized that a Federal response was needed to coordinate and assist in the inter-state effort to locate and recover missing children and to prevent child abduction and exploitation. Therefore, as you know, in the spring of 1984, the Department of Justice took the first step in building a Federal response by establishing the National Center for Missing and Exploited Children.

We at the Department of Justice are extremely proud of the Center's efforts and the efforts of so many of you in assisting in the recovery of almost 6,000 children. The Center has become a valuable national resource for law enforcement agencies, parents, grass-roots missing children's organizations, and others working to reduce the incidence of crimes against children and to deal more effectively with these tragedies when they do occur.

Later that year, in October, President Reagan signed the Missing Children's Assistance Act of 1984, which created within

the Department of Justice's Office of Juvenile Justice and Delinquency Prevention a new program to coordinate and disseminate information about missing and exploited children.

The Department of Justice has made every effort to launch the new Missing Children's Program as quickly as possible, while at the same time, ensuring that its funds support the best programs possible.

The Missing Children's Assistance Act set forth point-by-point the steps we must take in implementing the program, and we have been conscientious in following its provisions.

The first requirement was that the Attorney General appoint an Advisory Board on Missing Children within 90 days of the effective date of the Act. The second requirement was that the OJJDP Administrator, in consultation with the Advisory Board, establish priorities for funding under the program.

In accordance with these mandates, an Advisory Board on Missing Children was appointed in January 1985 and, after being sworn in in March, met with the OJJDP Administrator to establish funding priorities.

The first of the seven final priorities announced in July 1985 was an incidence study to determine the actual number of missing children.

Will Rogers once quipped: "We are always reading statistics and figures. Half of Americans do nothing but prepare statistics for the other half to read."

Well, unfortunately, no one has really gotten any good statistics on the number of missing children in this country. If future public policy is to be grounded in fact, the actual numbers and types of children who are out of parental custody must be determined.

A significant problem in using available statistics on the number of missing children in the United States annually is that none of the confirmed estimates was derived from studies designed to provide a comprehensive, verifiable assessment of the missing children problem. Therefore, our National Incidence Study was carefully developed to assure that it will provide the most comprehensive, reliable assessment of the problem possible.

To plan for this study, we solicited the expertise of researchers from various fields who had designed, funded, or conducted studies with similarly complex problems. Based on their advice, we conducted pilot tests to determine the best survey methods for the incidence study. Applications to conduct the study are now under review, and we hope to announce an award soon. The national incidence study is scheduled for completion in 1988.

The second priority is a National Study of Law Enforcement Agencies' Policies and Practices for Handling Missing Children and Homeless Youth. This study, which is under way, will provide better estimates of the number of cases of missing children reported to law enforcement agencies annually. We expect to have some preliminary data available later this year.

Under the third priority, we are sponsoring training at the Federal Law Enforcement Training Center at Glynco, Georgia, to help Federal, state, and local law enforcement personnel to improve their skills in investigating cases of missing and exploited children.

As many of you know from your own experiences working in the missing children's area, the trauma that missing and sexually exploited children and their families suffer does not end when a child returns home or a case is successfully prosecuted. Readjustment and reintegration into the family and community can be difficult, with many recurring problems. Psychologists suggest that horrifying memories and confusing emotions, such as guilt and actually missing the abductor or abuser, may trouble children for years after an experience has ended. Guilt also can consume families, with parents becoming overprotective and siblings feeling jealous of the attention the victims receive.

The fourth funding priority, therefore, is research on these complex issues. We are sponsoring a study on the psychological consequences of missing and exploited children, and another on strategies to change court policies and practices for dealing with child victim witnesses.

Fith, we also expect to launch this year a public awareness campaign focusing on the prevention of runaway, missing, and exploited children.

In addition, sixth, through the National Center for Missing and Exploited Children, we are helping states that wish to

improve the services of their state clearinghouses for missing children. To date, 25 states have such clearinghouses. One of the best, of course, is Illinois' I-Search, one of the co-sponsors of this conference.

The final original Missing Children's Program priority is assistance to private, voluntary missing children's organizations. We are taking a two-pronged approach to providing this assistance.

First, we are providing training and technical assistance to missing children's organizations to improve their management and operations. Second, we are making small grant awards to help these groups expand their capacity to serve missing and exploited children and their families. To date, we have made 17 awards totalling approximately $400,000. That's about two-thirds of the funding available for this project.

We've gotten some criticism that we haven't moved fast enough to implement the Missing Children's Program. But we have been working under the old adage: "People forget how fast you did a job -- but they remember how well you did it." Well, we are making sure we do the very best job we can to protect our children and keep them safe. In fact, we expect to have obligated more than $11 million of the total of $12 million appropriated for the Missing Children's Program by this fall.

In April of this year, a new Attorney General's Advisory Board on Missing Children was sworn in. With the guidance of

this new Board, we have proposed four new priorities for the Missing Children's Program.

The first of the new priorities is in the area of prevention. A variety of programs currently educate parents, children, and community organizations in ways to prevent the abduction and sexual exploitation of children. Because few programs target the broad range of children's ages, standards for curricula need to be developed for pro-active prevention programs that would apply to children of all ages.

We also need increased training, particularly for local officials. Much of the training has been provided to state and Federal officials. But it is important that local officials become better informed on issues relating to child exploitation, including how best to deal with those who exploit children as well s the children who have been harmed. Training for local officials, therefore, is our second new priority.

Additional training also is needed for law enforcement administrators, elected officials, appointed managers, judges, and district attorneys, and our third new priority is to provide such training. When I studied law at Cornell Law School, I heard nothing about things like child abuse, child molestation, or child exploitation. I venture to say most law school experiences paralleled mine. Therefore, we must provide justice practitioners with special training on how to handled children who have been abducted and abused.

Another issue the Attorney General's Advisory Board has suggested we explore involves the best ways for improving the mechanics of returning missing children to their families. Based on the findings of our research and on children's and families' needs after the terrifying missing experience, we would like to be able to provide some guidance for those involved with missing children on the most effective ways to reunite missing children and their families.

While we at the Federal level are helping to find some answers to the complex problems surrounding the issue of missing and exploited children, we do not claim to have all the answers -- not by a long shot.

In their report, "America's Missing and Exploited Children: their Safety and Their Future," the Attorney General's Advisory Board on Missing Children stated:

> "Except in cases of nonfamily abduction, a critical element in preventing the terror and hazard of missing children is a cohesive home life. One source of the missing children problem may also be its most hopeful solution -- the family."

The Advisory Board went on to recommend that society "assist families in those instances where the necessary support systems for building a strong family do not exist."

But society, of course, is not synonymous with government. Society is you and me and our families and our friends, our neighborhoods and communities, our churches and PTAs,, our Boys Clubs, and Kiwanis Clubs. It's the private sphere, where we

live, work, and play. By contrast, government action, action in the public sphere -- however well-intentioned -- will always be further removed from the problem.

Private businesses and organizations all over the country already are playing a tremendously important role in helping the public, parents, and law enforcement in learning more about the problem of missing children, assisting in prevention education programs, and working with law enforcement agencies and parents to retrieve missing children.

No single sector of our nation can solve the problem of missing and exploited children alone.

In April 1985, President Reagan created the President's Child Safety Partnership. In announcing the Partnership, he stated, "There is no more fundamental test of a society than how it treats its children. Children are not only a joy to the parents who raise them, they also represent a society's future. It is imperative for American society to protect its children and nurture them."

This President's Partnership travelled across the nation and heard from you and many others about how this society is treating its children. Later this summer, the President will be presented with a final report from the Partnership. We all eagerly await their recommendations.

By working together, pooling our resources, and building on our strengths, we can accomplish great things.

And there is much left to accomplish.

First, we must do more for the child victim. To help the child victim, restraints to prompt protective and corrective responses must be removed. This may mean amending state laws to improve the investigation and reporting of missing children. Every state -- I repeat, every state -- should establish a clearinghouse to collect and disseminate this information to its city agencies and to the FBI.

Unfortunately, our understanding of crimes against children has not kept pace with the realities behind the threats to our children's safety. Efforts currently are underway to better understand and deal with the acts of kidnapping, sexual exploitation, and child pornography.

One affirmative and giant step in effectively addressing the problem of sexually exploited children has been the creation of the National Obscenity Enforcement Unit in the Department of Justice. This unit, under the direction of Robert Showers who was your opening keynote speaker, will continue the vigorous prosecution of child pornography and obscenity and will be instrumental in coordinating state and federal investigations of sexually exploited children.

The National Obscenity Enforcement Unit, in close cooperation with the National Center for Missing and Exploited Children, will also address the need to assist children who are throwaways or runaways and fall prey to sexual exploitation through pornography and prostitution. The Center's hotlines can be a valuable law enforcement tool not only in locating exploited

children, but in leading to the apprehension of child molesters and child pornographers. Moreover, the Unit and the Center are presently cooperating on educational programs and publications such as the recent publication entitled: Child Pornography and Prostitution, which is to be released later this summer for general circulation.

We must begin to understand that the problem of missing children includes those kids who have voluntarily left their homes or who have been kicked out of their living situations as well as children who are the victims of noncustodial parental abductions and those who have suffered the tragic fate of being kidnapped by an unknown perpetrator. If our commitment to our children is strong, each of these categories deserves our attention, our understanding, and, most importantly, our effective action to reduce their victimization.

Of course, kids running away from home is not a new phenomenon. Mark Twain's tale of Huckleberry Finn even romanticizes it. You'll remember, Huck's worthless daddy was in the habit of locking Huck up in the shanty. But one day, Huck made a break for it, and so begins a classic piece of literature. Huck survived his experiences, and fortunately, today most runaways -- the largest category of missing children -- return home unharmed.

But some do not. Living on the streets is tough, rough, and dangerous. Without money and shelter, kids become easy prey for

pimps, pornographers, and pushers. I feel sure that even in Sam Clemens' day, a runaway's life was full of peril.

My point is, today many of our laws are as fanciful as the Huck Finn fable, and equally unsuited to the harsh reality of life on American streets. They leave our children in danger.

Second, we must continue cracking down on career criminals, drug pushers, and pornographers to protect the interests of our children and their families. Simply alerting parents and children to the possibility of victimization is not enough. Child victims are no match for adult perpetrators.

In many cases, an unconscionable disparity exists between the public's outrage over crimes against children and the actual treatment of adult offenders in the courtroom. Multiple offenders are let off as "first offenders." Others are not even prosecuted. These are abuses of prosecutorial and judicial discretion.

This Administration believes that if a criminal justice system is to have any integrity, it must be based on the twin concepts of individual responsibility and system accountability. These are our watchwords: Individual responsibility. System accountability. Integrity.

Unfortunately, the division of jurisdiction between adult criminal courts and juvenile courts often means that not enough concern is shown for the child victim when the time comes to sentence the adult offender in criminal court. One solution may be to recognize a so-called "next friend" of the child victim --

whether the parent, a guardian, or a court-appointed special advocate -- to protect the child's and family's interests during the criminal proceedings.

States also should consider making felonies of certain types of family abductions -- for example, where a custody order has been violated. Another reform should be to extend the state statutes of limitations on prosecutions of child sexual abuse crimes. As you know, such crimes may go undiscovered for years because the child is either unwilling or unable to disclose the offense.

In addition, we must do more for the child witness to ensure that the child does not suffer additional trauma at the hands of the justice system. Judges can do much to institute reforms in their own courtrooms. But we also must work for reform in judicial procedures to reconcile conflicts between the strictures of justice and compassion for the child. When prosecutions have to be watered down, plea-bargained away, or dismissed in order to avoid damaging and humiliating a child whose testimony is essential, it's time to change the rules.

Finally, we must work harder to protect America's children. Despite the increase in publicity about child exploitation, most Americans, including many in the profession of serving children, are poorly informed. And that ignorance sometimes shows up in our public policies.

Our public awareness programs should aim at creating a balanced understanding of the problem, not fear. Many Americans

are not aware, for example, that acquaintances, not strangers, commit most crimes against children.

And our criminal justice professionals need better training to help them handle missing child and child victimization cases. The Department of Justice is proud to have played a role in sponsoring training in this vital area.

In conclusion, let me state the obvious -- my thoughts merely scratch the surface and do not by any means exhaust the possibilities for improvement.

Our responsibility toward the next generation of Americans is truly awe-inspiring. America's future is in the hands of our children. We must work together to give our children a chance to live well, and to live full, healthy, and happy lives.

Daniel Webster once wrote: "Men can do jointly what they cannot do singly; and the union of minds and hands, the concentration of their power, becomes almost omnipotent."

I want you to know that all of us in the Administration stand behind you. Together we can turn the tide on these tragic crimes.

• U.S. GOVERNMENT PRINTING OFFICE: 1987-181-487:60185